

# **NOTICE OF OPEN MEETING**

**Posted on January 7, 2010**

## **AGENDA**

### **1st Meeting**

**DATE: Tuesday, January 12, 2010**

**TIME: 9:00 a.m.**

**PLACE: Rhode Island Ethics Commission**

**Hearing Room - 8th Floor**

**40 Fountain Street**

**Providence, RI 02903**

**1. Motion to approve minutes of Open Session held on December 15, 2009.**

**2. Advisory Opinions.**

**a.) Frank T. Caprio, the General Treasurer of the State of Rhode Island, requests an advisory opinion regarding the appropriate**

**process for handling certain claims under the Crime Victims' Compensation Program relating to the Station Nightclub fire.**

**b.) Alfred W. DiOrio, PLS, CPESC, a Hopkinton Planning Board member, who is also a professional land surveyor in private practice, requests an advisory opinion as to whether he is prohibited by the Code of Ethics from acting as an expert witness on behalf of a private client before the Hopkinton Zoning Board of Review.**

**c.) Danielle Coulter, a member of the Tiverton School Committee, requests an advisory opinion regarding what limitations the Code of Ethics places on her, if any, if her spouse provides brief public comment during a School Committee workshop regarding merit pay for school personnel.**

**d.) Danielle Coulter, a member of the Tiverton School Committee, requests an advisory opinion regarding what limitations, if any, the Code of Ethics places on her when: 1) the School Committee and the Budget Committee conduct joint meetings or workshops; and 2) the School Committee presents its proposed annual budget to the Budget Committee, given that her spouse is a member of the Tiverton Budget Committee.**

**e.) Robert Coulter, a member of the Tiverton Budget Committee, requests an advisory opinion regarding what limitations, if any, the Code of Ethics places on him when: 1) the School Committee and the**

**Budget Committee conduct joint meetings or workshops; and 2) the School Committee presents its proposed annual budget to the Budget Committee, given that his spouse is a member of the Tiverton School Committee.**

**f.) W. Douglas Gilpin, Jr., FAIA, a member of the Block Island Historic District Commission, who is also an architect in private practice, requests an advisory opinion regarding whether the Code of Ethics prohibits him from contracting with the Block Island Housing Board to design plans for the construction of an “affordable” winterized home.**

**g.) W. Douglas Gilpin, Jr., FAIA, a member of the Block Island Historic District Commission, who is also an architect in private practice, requests an advisory opinion regarding whether the Code of Ethics prohibits him from representing a private client before the Historic District Commission.**

**3. Review of Exemption for Abraham Kovoov, Ph.D., pursuant to the R.I. Public/Private Partnership Act.**

**4. Motion to go into Executive Session pursuant to R.I. Gen. Laws § 42-46-5(a)(2) and (4), to wit:**

**a.) Motion to approve minutes of Executive Session held on December 15, 2009.**

**b.) In re: Melanie Turner,  
Complaint No. 2009-5**

**c.) In re: Donna Hayden,  
Complaint No. NF2009-7**

**d.) Status Update:**

**Joseph S. Larisa, Jr. v. Rhode Island Ethics Commission,  
Superior Court C.A. No. 08-7325.**

**e.) Motion to return to Open Session.**

**5. Motion to seal minutes of Executive Session held on January 12,  
2010.**

**6. Report on actions taken in Executive Session.**

**7. Update from Legal Counsel and Commission discussion regarding  
due process issues relative to:**

**a.) Complainant's role in the complaint process.**

**b.) Right to jury trial in administrative proceedings.**

**c.) Initial determinations.**

**d.) Preliminary investigations.**

**8. Commission discussion of proposed General Commission Advisory (GCA) 2009- 3: Participation in Union Actions by Public Officials who are Union Members.**

**9. Commission review and discussion of Staff research regarding state gift prohibitions.**

**10. Director's Report:**

**a.) Docket status update.**

**11. New Business proposed for future Commission agendas.**

**12. Adjournment.**

**ANYONE WISHING TO ATTEND THIS MEETING WHO MAY HAVE SPECIAL NEEDS FOR ACCESS OR SERVICES SUCH AS A SIGN LANGUAGE INTERPRETER, PLEASE CONTACT THE COMMISSION AT 222-3790 (V), 48 HOURS IN ADVANCE OF THE SCHEDULED MEETING. THE COMMISSION ALSO MAY BE CONTACTED THROUGH RHODE ISLAND RELAY, A TELECOMMUNICATIONS RELAY SERVICE, AT 1-800-RI5-555.**